

UNITED STATES DISTRICT COURT

for

NORTHERN DISTRICT OF CALIFORNIA

San Francisco Venue

E-filing

Petition for Summons for Offender Under Supervision

Name of Offender: Joshua Joel Pratchard Docket No.: CR 08-00553-01 MMC

Name of Sentencing Judge: The Honorable Maxine M. Chesney
Senior United States District Judge

Date of Original Sentence: October 23, 2009

Original Offense:

Count One: Assault Resulting in Serious Bodily Injury, 18 U.S.C. § 113(a)(6), a Class C felony

Original Sentence: Three years probation

Special Conditions: Community confinement 12 months; special assessment \$100; restitution \$; drug/alcohol treatment; mental health treatment; access to financial information; search; DNA collection

Prior Form(s) 12: On March 3, 2010, a Summons was issued as a result of new law violations - Disorderly Conduct/Public Intoxication; and for his failure to pay restitution. On June 4, 2010, an Amended Petition for Summons was filed to take notice of the additional violation that Mr. Pratchard was terminated from the RRC for fighting with another resident. On January 7, 2011, Mr. Pratchard's probation was revoked for failure to refrain from excessive use of alcohol and his conditions of probation were modified to include three additional months in the RRC and to abstain from all alcoholic beverages and not go to bars.

On May 17, 2011, a Summons was issued to address his termination from the RRC for failure to pay subsistence. On June 15, 2011, a revocation hearing was held and Your Honor modified his conditions to include Location Monitoring in lieu of his community confinement and the addition of 200 hours of community service to be performed at a rate of no less than 25 hours per month.

Type of Supervision: Probation

Date Supervision Commenced: October 23, 2009

Assistant U.S. Attorney: Katherine Dowling

Defense Counsel: Rita Bosworth (AFPD)

Petitioning the Court

The issuance of a summons for the offender to appear in court before the duty Magistrate Judge for identification of counsel and setting of further proceedings on July 26, 2011 at 9:30 a.m.

I, Jenna Russo, a Probation Officer employed in the United States District Court for the Northern District of California, solemnly affirm and declare, under penalty of perjury, that to the best of my information and belief, the facts set forth in this affidavit are true and correct. The factual affirmations made below are based on my personal knowledge, on official records or documents generated and maintained by my agency in the course of performing its functions, on official records or documents generated and maintained by other government agents or agencies in the course of performing their functions, or on information provided to me orally or electronically by employees or agents of other public agencies (information developed or acquired in the course of performing official agency functions).

<u>Charge Number</u>	<u>Violation</u>
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One

There is probable cause to believe that the offender violated standard condition number one that he shall not leave the judicial district without permission of the court or probation officer.

On or about July 8, 2011, Mr. Pratchard left the Northern District of California and entered the Eastern District of California, specifically, Coloma, California. On July 8, 2011, he was seen at the Coloma Club Café by Assistant U.S. Attorney Benjamin Tolkoff. According to Mr. Tolkoff, Mr. Pratchard entered the establishment at 10:30 p.m. where he remained until at least 11:45 p.m. While Mr. Pratchard was not observed drinking alcohol, he was seen in the bar area of Coloma Club Café. In addition to Mr. Tolkoff's eyewitness account, photographic evidence was presented to this officer.

Evidence in support of this charge is contained in the July 12, 2011 and the July 15, 2011 Probation Chronological Entries and the July 8, 2011 photographs taken by Benjamin Tolkoff.

Two

There is probable cause to believe that the offender violated special condition number one that he shall abstain from the use of all alcoholic beverages and shall not go to bars.

On July 8, 2011, Mr. Pratchard entered the Coloma Club Café in Coloma, California where he was observed in the bar area of the establishment.

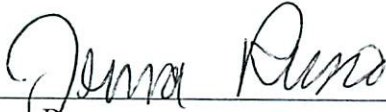
Evidence in support of this charge is contained in the July 12, 2011 and the July 15, 2011 Probation Chronological Entries and the July 8, 2011 photographs taken by Benjamin Tolkoff.

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Based on the foregoing, there is probable cause to believe that Joshua Joel Pratchard violated the conditions of his supervision.

Respectfully submitted,



Jenna Russo
U.S. Probation Officer
Date Signed: July 20, 2011

Approved as to form:



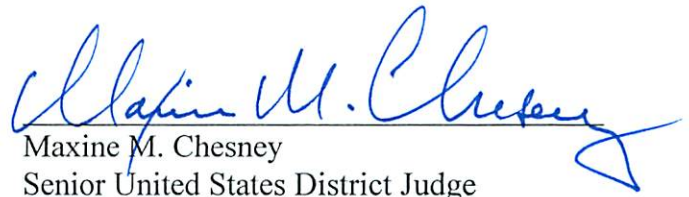
Noel Belton
Supervisory U.S. Probation Officer

Having considered the information set forth above, the court finds there is probable cause to believe there has been a violation of the conditions of supervision and orders:

- ☒ The issuance of a summons for the offender to appear in court before the duty Magistrate Judge for identification of counsel and setting of revocation proceedings on July 26, 2011 at 9:30 a.m.
☐ Other:

Date

7-25-11



Maxine M. Chesney
Senior United States District Judge

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Appendix A

Grade of violation(s): C

Criminal History at time of sentencing: II

	Statutory Provisions	Guideline Provisions
Custody:	10 Years	4 to 10 Months
Supervised Release:	3 Years	3 Years Minus Custody
Probation:	5 Years	Not Recommended